

REMARKS

In the Official Action, the Examiner relied on two newly-cited prior art documents, namely Tanaka et al., U.S. Patent No. 4,820,621, and Suzuki et al., U.S. Patent No. 5,532,116. More specifically, the Examiner rejected independent claim 24 and dependent claims 18 and 21 under 35 U.S.C. § 102(b) as allegedly being anticipated by Tanaka et al. and rejected independent claim 24 and dependent claims 17-21 and 23 under 35 U.S.C. § 102(b) as allegedly being anticipated by Suzuki et al.

Applicants respectfully submit that these newly-applied rejections are not proper, particularly in light of the claims of record. In this regard, independent claim 24 has been amend to recite that "n" in formula (IB) represents from 5 to 30 consistent with the description provided on page 51 of the specification. In addition, new dependent claim 25 has been added to recite that the defined developing solution has a pH of from 10.0 to 12.5 consistent with the specification on page 58.

Tanaka et al. relates to a developer solution for a positive-working photoresist composition comprising a base and a nonionic surfactant. As specifically stated at column 3, lines 11-12 and at column 4, lines 7-10, the amount of the nonionic surfactant is in the range of from 50 to 5,000 ppm by weight preferably 100 to 2,000 ppm by weight. In other words, in the broadest amount (i.e., 5,000 ppm), the nonionic surfactant is present in an amount of only 0.5% by weight. Such amount is in sharp contrast to the recited range of 2 to 10 weight % set forth in claim 24. Accordingly, since Tanaka et al. does not disclose this amount and it would clearly be contrary to the teachings of the patent to use the claimed amount, it follows that

independent claim 24 and the claims dependent therefrom cannot be properly rejected based on the teachings of Tanaka et al.


Suzuki et al. describes an aqueous alkaline developing solution comprising an alkali compound, water and an alkylnaphthalene sulfonate having the formula illustrated in the Abstract. The developing solution further contains a defined anionic surface active agent and a nonionic surface active agent having a polyoxyethylene moiety and an aromatic ring in its structure. The Examiner has relied on the disclosure of the patent particularly at columns 4, 17 and 18 with the specific compound at the bottom of claim 20 being noted. Claim 24 recites a developing solution having a recited amount of at least one nonionic aromatic ether-based activator where the oxyethylene group has at least five repeating units. As such, Suzuki et al. does not meet this defined activator as required for an anticipation rejection. In this regard, it will be noted that the illustrative material at the bottom of column 20 only has four oxyethylene units. Therefore, since Suzuki et al. does not meet this specific recitation of the claims, it is apparent that the rejection set forth in the Official Action cannot be maintained.

In view of the amendments to the claims and the foregoing discussion, applicants respectfully submit that the rejections set forth in the Official Action cannot be maintained and applicants therefore request reconsideration and allowance of the present application.

Should the Examiner wish to discuss any aspect of the present application,
he is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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